

REMARKS

I. INTRODUCTION

In response to the Office Action dated August 22, 2006, claims 1, 2, 5, 6, 11, 12, 15, 16, 21, 22, 25, and 26 have been amended. Claims 1-30 remain in the application. Entry of these amendments, and re-consideration of the application, as amended, is requested.

II. NON-ART REJECTIONS

In paragraph (3) of the Office Action, claims 1-30 were rejected under 35 U.S.C. §101 as being directed to non-statutory subject matter. Applicants respectfully traverse such an assertion. Namely, the application provides for the use of a project, the citation of various files in a computer graphics program, and the creation of a link between the files and a project via a specific directory structure. Such a recitation, as set forth in the claims, clearly provides for functional material. Nonetheless, in the interest of expediting prosecution, Applicants have amended the independent claims and now provide for a displaying limitation. Such a limitation clearly provides for a useful, tangible, and concrete result. Thus, the claims clearly contain patentable subject matter as set forth in MPEP 2106.

In addition, under MPEP 2106(IV)(B), if the invention as set forth in the written description is statutory, but the claims define subject matter that is not, the deficiency can be corrected by an appropriate amendment of the claims. In such a case, Office personnel should reject the claims drawn to nonstatutory subject matter under 35 U.S.C. 101, but identify the features of the invention that would render the claimed subject matter statutory if recited in the claim. Accordingly, Applicants respectfully request that the PTO identify the features of the invention that would render the claimed subject matter statutory if recited in the claims.

III. PRIOR ART REJECTIONS

In paragraph (5) of the Office Action, claims 1-5, 10-15, 20-25 and 30 were rejected under 35 U.S.C. §103(a) as being obvious in view of the combination of Wolff et al., U.S. Patent 6,076,105 (Wolff), Weber, U.S. Publication No. 2003/0160825 (Weber) and Zinda et al., U.S. Patent 6,393,437 (Zinda).

Applicants respectfully traverse these rejections.

Specifically, claims 1, 11 and 21 were rejected as follows:

As to claim 1 “obtaining a project file in the computer graphics program comprising general information regarding the project” (project file, column 29, lines 44-61);

Wolff does not explicitly indicate “creating a directory structure in the computer graphics program for the project wherein one or more project drawing files are organized into various folders by drawing and file type of the one or more project drawing files.”

However, Weber discloses “creating a directory structure in the computer graphics program for the project wherein one or more project drawing files are organized into various folders by drawing file type of the one or more project drawing files” (create directory structure, paragraph [0040]);

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Wolff and Weber because using the steps of “creating a directory structure in the computer graphics program for the project wherein one or more project drawing files are organized into various folders by drawing file type of the one or more project drawing files” would have given those skilled in the art the tools to improve the invention by placing files in their proper places. This gives the user the advantage of being able to find information more quickly.

Wolff does not explicitly indicate “and obtaining a companion file for each project drawing file, wherein each companion file provides information used to create the directory structure and comprises information to link each project drawing file to the project”

However, Zinda discloses “and obtaining a companion file for each project drawing file, wherein each companion file provides information used to create the directory structure and comprises information to link each project drawing file to the project” (metadata, column 7, lines 14-32).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Wolff, Weber and Zinda because using the steps of “and obtaining a companion file for each project drawing file, wherein each companion file provides information used to create the directory structure and comprises information to link each project drawing file to the project” would have given those skilled in the art the tools to improve the invention by having a single source that can be referenced instead of open multiple files.

As to claims 11-15 and 20, these claims are rejected on the grounds corresponding to the arguments given above for rejected claims 1-5 and 10 and are similarly rejected.

As to claims 21-25 and 30, these claims are rejected on the grounds corresponding to the arguments given above for rejected claims 1-5 and 10 and are similarly rejected.

Applicant traverses the above rejections for one or more of the following reasons:

- (1) Neither Wolff, Weber or Zinda teach, disclose or suggest drawing files that are composed of a building information model for a project or a report generated from the model;
- (2) Neither Wolff, Weber or Zinda teach, disclose or suggest a companion file that is used to create a directory structure;
- (3) Neither Wolff, Weber or Zinda teach, disclose or suggest a companion file that comprises information to link a file to a project based on the building information model or the report; and

(4) Neither Wolff, Weber or Zinda teach, disclose or suggest a displaying the drawing files in the various folders in a computer graphics application.

Independent claims 1, 11, and 21 are generally directed to defining a project in a computer graphics program. More specifically, a project file is obtained that provides general information regarding a project. A directory structure is then created for the project. Project drawing files are organized into various folders of the directory structure by drawing file type. Further, the drawing files are composed of either a building information model component (for the project) or a report generated from the building information model. The organization into the various folders is further based on the model or report accordingly. A companion file for each project drawing file is obtained. Each companion file provides information used to create the directory structure that the files are organized in and also provides information to link each project drawing file to a particular project. Lastly, the drawing files are displayed in the various folders within the graphics application.

The cited reference does not teach nor suggest these various elements of Applicants' independent claims.

As stated in the summary, the project drawing files are part of either a building information model or a report generated from the model. Such a unique organizational structure is wholly and completely lacking from the cited references. In addition, the companion file (that is obtained for each of the drawing files) is used to actually create the directory structure. Further such a companion file links the particular file to the project based on the model or report. Such limitations provide functional advantages over the prior art. The cited references lack such features and advantages.

In rejecting the claims, the Office Action relies on Weber to disclose the creation of the directory structure. What is clearly lacking from Weber is any reference, explicit or implicit, to folder organization and file placement based on a business model or report. Instead, Weber merely refers to creating a directory and importing files into the appropriate directory based on the file type (see paragraph [0040]). However, the mere creation and sorting based on a file type does not even remotely disclose that a drawing file is either part of a building information model or a report generated from the model. What such a limitation adds to the claims is a context for the various files and folders. In this regard, each of the files and various folders are linked or related to each

other based on whether they are part of the building information model or report. Such a limitations is clearly lacking from both Weber and Wolff.

In addition, the Action admits that neither Weber nor Wolff teach the obtaining and use of the companion file. Instead, the Action relies on Zinda for such a teaching. Specifically, the Action relies on col. 7, lines 14-32 of Zinda which provide:

As described in further detail below, when a project is initially accessed by a developer, the IDE 115 creates a local directory structure in the working web storage 109 which mirrors that of the project files stored in the master web storage 112 on the server 102 and caches metadata about the files that are in the project. Generally, metadata is information about a file that is not part of the file. Examples of metadata are date information (e.g., when the file was last modified) or developer identification (e.g., who last modified the file). The metadata is typically managed by the client/server interface 108 and server extension 111.

In order to synchronize working web storage 109 with master web storage 112 of server 102, a local cache (not shown) on client computer 101 tracks various information about the files in the working web storage 109 including, but not limited to, metadata, the status of the files and which files were on the master web storage 112 the last time that the working web storage 109 was synchronized with the master web storage 112.

What is lacking from such language (and from the remainder of Zinda) is any discussion at all about information used to create the directory structure in which the files are stored and organized. Instead, the cited information merely describes metadata comprising information about the file that is not part of the file. It is also noted that Zinda is not even remotely related to a computer graphics program, business information models, or reports generated from such models. Instead, Zinda relates to developers of software applications and software projects (see Abstract). Accordingly, not only is Zinda a completely and wholly unrelated field of art, but Zinda also fails to teach various specifically claimed limitations.

Under MPEP §2142 and 2143.03 “To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). “All words in a claim must be considered in judging the patentability of that claim against the prior art.” *In re Wilson*, 424 F.2d 1382, 1385, 165 USPQ 494, 496 (CCPA 1970).” Accordingly, the aspects relating to the information used to create the directory structure cannot merely be ignored when rejecting the claims.

Again, the companion file is created and establishes the nexus/relationship between the project and files. Further, the companion file contains information used to create the directory structure within which the files are stored. Lastly, the companion file links the various files to the

project based on the building information or report. Such multiple specific limitations are completely absent from the cited references.

Thus, Applicants submit that independent claims 1, 11, and 21 are allowable over Wolff, Weber and Zinda. Further, dependent claims 2-10, 12-20, and 22-30 submitted to be allowable over Wolff, Weber and Zinda in the same manner, because they are dependent on independent claims 1, 11, and 21, respectively, and because they contain all the limitations of the independent claims. In addition, dependent claims 2-10, 12-20, and 22-30 recite additional novel elements not shown by Wolff, Weber and Zinda.

IV. CONCLUSION

In view of the above, it is submitted that this application is now in good order for allowance and such allowance is respectfully solicited. Should the Examiner believe minor matters still remain that can be resolved in a telephone interview, the Examiner is urged to call Applicants' undersigned attorney.

Respectfully submitted,

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By their attorneys,

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